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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re: **No. 08-40629 RN**

**GABRIEL JAMES FUENTES
and MARLENE AGUIRRE FUENTES,**

Chapter 13

Debtors.

**MOTION TO MODIFY CHAPTER 13 PLAN;
NOTICE TO CREDITORS OF
DEADLINE TO REQUEST A HEARING**

The above-named debtors apply to the court for an order to modify their Chapter 13 Plan as follows:

Commencing January, 2009, debtors shall pay the sum of \$657.00 per month. Any plan arrearages shall be forgiven. Unsecured, nonpriority creditors shall be paid on a pro-tanto basis. Angius & Terry Collection and Contra Costa County shall be classified as unsecured claims from and after the date debtors surrender the property.

The modification is sought on the following grounds: Ms. Fuentes' work hours have been reduced. Further, debtors have surrendered their real property.

NOTICE IS HEREBY GIVEN:

(i) That Local Rule 9014-1 of the United States Bankruptcy Court Motion to Modify Chapter 13 Plan;
Notice to Creditors of Deadline to Request a Hearing

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1 for the Northern District of California prescribes the procedures to be
2 followed and that any objection to the requested relief, or a request for
3 hearing on the matter must be filed and served upon the undersigned
4 within twenty (20) days of mailing of this notice;

5 (ii) That a request for hearing or objection must be accompanied
6 by any declarations or memoranda of law the party objecting or requesting
7 wishes to present in support of its position;

8 (iii) That if there is not a timely objection to the requested
9 relief or a request for hearing, the Court may enter an order granting
10 the relief by default; and

11 (iv) That the undersigned will give at least ten (10) days written
12 notice of hearing to the objecting or requesting party, and to any
13 trustee or committee appointed in the case, in the event an objection or
14 request for hearing is timely made.

15 Dated: January 13, 2009

16 /s/ Corrine Bielejeski
17 CORRINE BIELEJESKI
18 Attorney for Debtor
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